

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RICHARD ERDREICH,

Plaintiff,

v.

CITY OF PHILADELPHIA, et al.,

Defendants.

CIVIL ACTION
NO. 18-2290

ORDER

AND NOW, this 16th day of April, 2020, upon consideration of Plaintiff Richard Erdreich's ("Plaintiff") Motion to Amend/Correct [the Second] Amended Complaint or For Leave to File Third Amended Complaint ("TAC") (Doc. No. 32), Defendants' Response in Opposition (Doc. No. 34), and in accordance with the Opinion of the Court issued on this day, it is **ORDERED** as follows:

1. Plaintiff's Motion to Amend/Correct [the Second] Amended Complaint or For Leave to File Third Amended Complaint ("TAC") (Doc. No. 32) is **GRANTED**.¹
2. Defendant Officer John Judge Jr.'s Motion for Judgment on the Pleadings (Doc. No. 24) is **DENIED**.

¹ Plaintiff's counsel, Thomas R. Hurd, Esquire, stated at the hearing held on January 24, 2020 that Plaintiff would dismiss the related action before this Court, E.D. PA. Civil Action No. 19-3655, if the Court granted its Plaintiff's Motion to Amend/Correct [the Second] Amended Complaint or For Leave to File Third Amended Complaint ("TAC") (Doc. No. 32). Since the Motion is being granted and Plaintiff is being afforded the opportunity to file a new TAC, the second civil action is rendered moot and should be dismissed.

3. Plaintiff will be required to file this new Complaint within thirty (30) days of the date of the Order.
4. If either party needs additional time to engage in fact discovery, they should file such a request on the record and it will be granted.

BY THE COURT:

/s/Joel H. Slomsky, J.
JOEL H. SLOMSKY, J.